

II. REMARKS/ARGUMENTS

A. Remarks.

Claims 12 and 13 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 4 and 7-12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kneisi et al., U.S. Publication Number 2002/0189482A1. Claims 7, 14, and 15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Bouguyon et al. U.S. Patent Number 3,991,836. Claim 7 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Werner et al. U.S. Patent Number 6,464,019. Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kneisl et al. '482 in view of Li et al. U.S. Publication Number 2005/0173118 A1.

B. Response

1. Claims 12 and 13 rejected under 35 U.S.C. § 112

Claims 12 and 13 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. More specifically, with regard to claim 12 it was not understood what the presence of "said reinforcing system and said casing produces and asymmetric radial weight distribution around the axis of the gun body." With regard to claim 13, it recited "edges" whereas the figures were stated to have a single edge. In response, claims 12 and 13 have been amended for clarity.

2. Claims 4 and 7-12 rejected under 35 U.S.C. § 102(b)

Claims 4 and 7-12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kneisl et al., '482. More specifically, Kneisl et al. '482 was cited as disclosing a shaped charge

assembly comprising a casing with a reinforcing system, wherein the reinforcing system comprises a retaining shell and a bushing.

In response, claim 7 is being amended with this paper to include the limitation of “wherein the inner radius of the bushing circumscribes the outer surface of the casing.” This limitation is not found in Kneisl et al. ‘482, thus this reference does not teach each and every limitation of claim 7. It is therefore respectfully requested that Kneisl et al. ‘482 be removed as a basis for the rejection of claim 7 and its dependent claims (claims 4 and 8-12).

3. Claims 7, 14, and 15 rejected under 35 U.S.C. § 102(b)

Claims 7, 14, and 15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Bouguyon et al. ‘836. Bouguyon et al. ‘836 was cited for the proposition that it discloses a shaped charge assembly with a casing and the reinforcing system (including the bushing) of the claims. In response, applicants respectfully disagree that the domed cover 30 of Bouguyon et al. ‘836 is the same as the retaining shell of claim 7. Applicants also respectfully disagree that the O-ring 31 of Bouguyon et al. ‘836 is the same as the bushing of claim 7. Since neither the retaining shell nor the bushing of claim 7 is found in Bouguyon et al. ‘836, applicants therefore respectfully request that this reference be removed as the basis for the rejection of claim 7 and its dependent claims.

4. Claim 7 rejected under 35 U.S.C. § 102(b)

Claim 7 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Werner et al. ‘019. Werner et al. ‘019 was cited as teaching the retaining system of claim 7. In response, Werner et al. ‘019 does not disclose a retaining system, but instead teaches a “charge case 100 that is formed from an inner material 104 ... surrounded by an outer material 102” (column 5,

lines 39 - 43, Werner et al. '019). Werner et al. '019 does not teach a casing surrounded by a reinforcing system. As such, Werner et al. '019 does not teach each and every element of claim 7 and should be removed as a basis for the rejection of this claim.

5. Claim 13 rejected under 35 U.S.C. § 103(a)

Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kneisl et al. '482 in view of Li et al. '118. Kneisl et al. '482 was cited for teaching the shaped charge assembly of claim 13 and Li et al. '118 was cited as teaching a shaped charge casing comprising a crucible shape whose closed end is curvilinear.

In response, to sustain a rejection under 35 U.S.C. § 103(a) a prima facie case of obviousness must be established. M.P.E.P. § 2142. To establish a prima facie case of obviousness the prior art references (or references when combined) must teach or suggest all the claim limitations. *Id.* As noted above, Kneisl et al. '482 does not disclose the retaining system of claim 7 (from which claim 13 depends) and therefore fails to teach or suggest all the claim limitations of claim 13, thus claim 13 is patentable over the combination of Kneisl et al. '482 and Li et al. '118. It is therefore respectfully requested that this rejection be reconsidered and removed.

6. Cited Art

References were cited in the Office Action that were not otherwise referenced in the body of the Office Action. Those references are Slagle et al. U.S. Patent Number 5,460,095, Hancock et al. U.S. Patent Number 4,885,993, and Gill U.S. Patent Number 4,832,134. These references do not add information to issues already raised and discussed, and as such do not affect the patentability of the claims of the subject application.

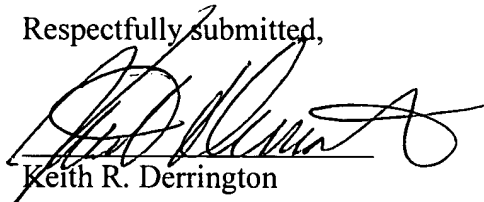
III. CONCLUSION

It is respectfully urged that in light of the above stated arguments that applicants' claims are patentable in light of the cited art. It is believed that the foregoing response is full and complete. Applicants respectfully request reconsideration of the instant application in light of the foregoing response and amendments.

Should the Examiner have any questions, comments or suggestions in furtherance of the prosecution of the application, the Examiner is invited to contact the Applicants' representative by telephone or fax.

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Respectfully submitted,



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